

E-FILED 5/6/15  
JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

GUARDIAN MEDIA  
TECHNOLOGIES, LTD.,

Plaintiff,

v.

AMAZON.COM, INC., et al.

Defendants.

Case No. 2:13-cv-08369 PSG (PLAx)  
**[PROPOSED] FINAL JUDGMENT**

1        The Court hereby enters final judgment against Plaintiff Guardian Media  
2 Technologies, Ltd. and in favor of Defendants Amazon.com, Inc., Best Buy Co.,  
3 Inc., Costco Wholesale Corp., Sears, Roebuck and Co., Target Corp., and Wal-Mart  
4 Stores, Inc. (“Defendants”) as set forth below:

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED THAT:

6           1. Summary judgment of non-infringement of U.S. Patent Nos. 4,930,158  
7 and 4,930,160 is granted to Defendants.

8           2. Defendants' Counterclaims for Invalidity and Non-Infringement of  
9 U.S. Patent No. 4,930,158 and U.S. Patent No. 4,930,160 are dismissed without  
10 prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

11       3. Defendants' Counterclaims shall be fully reinstated upon remand, if  
12 any, from any appeal by Guardian.

13       4. Neither Guardian nor any Defendant waives any arguments they may  
14 have on appeal, and they expressly reserve all such issues.

15       5. This dismissal of Defendants' Counterclaims is not subject to the "two  
16 dismissal rule" of Rule 41(a)(1) of the Federal Rules of Civil Procedure, which  
17 provides that a second dismissal operates as an adjudication on the merits.

19 | IT IS SO ORDERED.

5/4/15

21 | Dated: April, 2015

# PHILIP S. GUTIERREZ

Honorable Philip S. Gutierrez  
United States District Judge